

STATEMENT OF
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NATIONAL LEGISLATIVE SERVICE
VETERANS OF FOREIGN WARS OF THE UNITED STATES
BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS
WITH RESPECT TO
H.R. 888, H.R. 4335, H.R. 4910, and H.R. 4958

WASHINGTON, DC

MARCH 20, 2018

Chairman Bost, Ranking Member Esty and members of the Subcommittee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, thank you for the opportunity to provide our remarks on legislation pending before the subcommittee.

H.R. 888, to improve dependency and indemnity compensation for survivors of certain totally disabled veterans.

The VFW supports this legislation, which would require the Department of Veterans Affairs (VA) to treat a notification of the death of a veteran rated totally disabled at the time of death as a claim by the veteran's surviving spouse and children for dependency and indemnity compensation (DIC) benefits.

DIC is a monthly benefit that is paid to eligible survivors of service members who died while on active-duty training or inactive duty training; veterans whose death resulted from service-connected conditions; and veterans with a disability rating of total and permanent at time of death. Currently, once eligibility is established, the beneficiary must complete a 10-page claim form and mail it into the Pension Management Center (PMC) that has jurisdiction over their state. This process can take months to complete and often leaves the beneficiary confused and frustrated.

The VFW feels that this legislation would be a good step toward mitigating the need for grieving survivors to file additional paperwork to receive DIC. In light of this, we are curious as to how VA plans on implementing this change.

Ideally, the Office of Information Technology (OIT) should be responsible for automating the process to ensure that DIC claims for those who are affected by this legislative change would be

adjudicated separately from standard DIC claims. Doing so would guarantee that the process operates as efficiently as possible, but also prevent a substantial backlog at the regional PMCs.

H.R. 4335, Servicemember Family Burial Act

The VFW supports this legislation, which would require the Department of Veterans Affairs (VA) to provide headstones and markers for, and interment in national cemeteries of, deceased spouses and dependent children of members of the Armed Forces serving on active duty.

Spouses and dependent children of active duty service members are eligible for burial at cemeteries maintained by the National Cemetery Administration (NCA) in the event that they proceed the service member in death. However, this is only done on a case-by-case basis, with the approving authority resting in the hands of the Under Secretary for Memorial Affairs. According to NCA, this process often requires the active-duty service member to submit information that may be considered intrusive and taxing, especially at a time of mourning, and can lead to a delay in the final adjudication process.

Given the anticipated population that would now be eligible under this proposal, it is expected that NCA burials would only increase by approximately 50 burials a year due to the overall health and age of this population. In reviewing the number of exceptions that NCA has made over the past 50 years, this number has remained extremely consistent. Last year, for instance, there were 43 exceptions granted by NCA.

H.R. 4910, Veterans Cemetery Benefit Correction Act

The VFW supports this legislation, which would require the Secretary of the Interior to provide outer burial receptacles to those who wish to be interred in cemeteries under the jurisdiction of the National Park Service (NPS).

Currently, both VA and the Department of Defense (DOD) are required to provide outer burial receptacles for remains that are going to be interred in either a VA national cemetery or a DOD cemetery, such as Arlington National Cemetery. The next of kin may choose to purchase and use a private outer burial receptacle, rather than use the government-furnished grave liner and receive a monetary allowance equal to the average cost to the government of a grave liner, less administrative costs.

However, in the cemeteries that fall under NPS jurisdiction, there is no offset or reimbursement provided to the family of the veteran, even in cases where the NPS cemetery is the most viable location for the family. Currently, NPS manages 14 national cemeteries. Eleven of these cemeteries were transferred from the War Department to the Department of the Interior by Executive Order No. 6166 in 1933. Three national cemeteries were authorized or transferred after 1933. These cemeteries represent a continuum of use dating to a period before the establishment of the historical parks of which they are an integral part, and are administered to preserve the historic character, uniqueness, and solemn nature of both the cemeteries and the historical parks.

National cemeteries administered by NPS are classified as either "active" or "closed." Active cemeteries have casket or cremation gravesites available for first interments. A first interment is the initial burial of human remains following the death of the individual. Closed cemeteries have no available unreserved gravesites for either casket or cremation first interments, but may inter eligible family members in the same gravesite as previously interred individuals.

There are two active national cemeteries currently administered by the NPS that are open for new interments: Andersonville and Andrew Johnson National Cemeteries. Unlike cemeteries under VA jurisdiction, NPS is under no obligation to provide a grave liner. The VFW agrees that veterans who choose to be buried at these cemeteries deserve the same honor as those who are buried in VA and DOD cemeteries.

H.R 4958, Veterans' Compensation Cost-of-Living Adjustment Act of 2018

The VFW strongly supports this legislation which would increase the cost-of-living allowance (COLA) for veterans and survivors receiving disability compensation, DIC, clothing allowance, and other VA benefits.

Disabled veterans, along with their surviving spouses and children, depend on VA benefits to bridge the gap of lost earnings caused by the veteran's disability. However, each year veterans wait anxiously to find out if their benefits will keep pace with the rate of inflation. Currently, there is no automatic trigger that increases these forms of compensation for veterans and their dependents. It should not take an act of Congress to provide the same adjustment that is automatically granted to Social Security beneficiaries.

The VFW is glad this bill would authorize automatic COLA increases based on the percentage increases under the Social Security Act. The VFW is confident that this legislation will provide millions of veterans with an added layer of financial security.

Mr. Chairman, this concludes my testimony. Again, the VFW thanks you and Ranking Member Esty for the opportunity to testify on these important issues before this subcommittee. I am prepared to take any questions you or the subcommittee members may have.

Information Required by Rule XI2(g)(4) of the House of Representatives

Pursuant to Rule XI2(g)(4) of the House of Representatives, the VFW has not received any federal grants in Fiscal Year 2018, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or preceding two calendar years.